

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

VICTORY RAMEY JONES,

Plaintiffs,

v.

CIVIL ACTION NO. 2:22-cv-00128

P.S. MANAGEMENT, INC.,

Defendant.

**ORDER**

This matter comes before the Court on the Parties' Joint Stipulation. (ECF No. 6.) Plaintiff Victory Ramey Jones ("Plaintiff") commenced this action against P.S. Management on March 9, 2022. (ECF No. 1.) Plaintiff's Complaint alleges two causes of action. Plaintiff's First Cause of Action is an Individual Claim for Violation of the Fair Labor Standards Act ("FLSA") (hereinafter referred to as the "Individual Claim"). (*Id.* at 10–11, ¶¶ 63–72.) Plaintiff's Second Cause of Action is a Collective Action Claim for Violation of the FLSA (hereinafter referred to as the "Collective Action Claim"). (*Id.* at 11–12, ¶¶ 73–81.)

On April 1, 2022, Defendant P.S. Management, Inc. ("Defendant") filed a Motion to Compel Arbitration and Stay or Dismiss Action. (ECF No. 5.) The Parties have since agreed to arbitrate the Individual Claim pursuant to the express terms of the Mutual Arbitration Agreement (the "Arbitration Agreement") entered into by the parties, and dismiss the Collective Action Claim pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

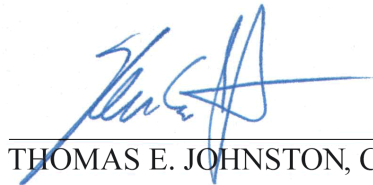
Therefore, in accordance with the Parties' Joint Stipulation, it is **ORDERED**:

1. The Joint Stipulation is **GRANTED**;
2. The Collective Action Claim is **DISMISSED**;
3. The Individual Claim shall be submitted to final, binding arbitration pursuant to the Arbitration Agreement between Plaintiff and Defendant;
4. All proceedings in this case are **STAYED** pending arbitration of the Individual Claim;
5. The Parties are **ORDERED** to file a joint report of the status of the arbitration within 30 days of the award or other resolution therefore; and
6. The Clerk is **DIRECTED** to remove this case from the Court's active docket.

**IT IS SO ORDERED.**

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 21, 2022

A handwritten signature in blue ink, appearing to read "Th. Johnston", is written over a horizontal line.

THOMAS E. JOHNSTON, CHIEF JUDGE